

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 23, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON, STATE
OF OREGON, STATE OF
ARIZONA, STATE OF
COLORADO, STATE OF
CONNECTICUT, STATE OF
DELAWARE, STATE OF
ILLINOIS, ATTORNEY GENERAL
OF MICHIGAN, STATE OF
NEVADA, STATE OF NEW
MEXICO, STATE OF RHODE
ISLAND, STATE OF VERMONT,
DISTRICT OF COLUMBIA, STATE
OF HAWAII, STATE OF MAINE,
STATE OF MARYLAND, STATE
OF MINNESOTA, and
COMMONWEALTH OF
PENNSYLVANIA,

Plaintiffs,

v.

UNITED STATES FOOD AND
DRUG ADMINISTRATION,
ROBERT M. CALIFF, in his official
capacity as Commissioner of Food
and Drugs, UNITED STATES
DEPARTMENT OF HEALTH AND

NO. 1:23-CV-3026-TOR

ORDER GRANTING STIPULATED
MOTION TO MODIFY DEADLINES

1 HUMAN SERVICES, and XAVIER
2 BECERRA, in his official capacity as
Secretary of the Department of Health
and Human Services,

3
4 Defendants.

5 BEFORE THE COURT is the Parties' Stipulated Motion to Modify
6 Deadlines (ECF No. 172) and Joint Motion to Expedite (ECF No. 173). The Court
7 has reviewed the record and files herein and is fully informed. The Court finds
8 good cause to grant the parties' motions.

9 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 10 1. The Parties' Stipulated Motion to Modify Deadlines (ECF No. 172) and
11 Joint Motion to Expedite (ECF No. 173) are **GRANTED**.
- 12 2. Plaintiffs shall file their combined reply in support of their motion for
13 summary judgment and opposition to Defendants' motion for summary
14 judgment, not to exceed 35 pages, no later than **March 31, 2025**;
- 15 3. Defendants shall file their reply in support of their motion for
16 summary judgment, not to exceed 20 pages, no later than **May 30, 2025**;
- 17 4. The parties shall jointly prepare, and Plaintiffs shall file, a joint
18 appendix containing portions of the administrative record cited in the
19 parties' briefs no later than **June 13, 2025**; and
20

1 5. If the parties want oral argument, immediately following the completion
2 of briefing, the parties will advise the Court of their availability for oral
3 argument.

4 The District Court Executive is directed to enter this Order and furnish
5 copies to counsel, including those attorneys who have not signed up for electronic
6 filing and service.

7 DATED December 23, 2024.



10
11
12
13
14
15
16
17
18
19
20

Thomas O. Rice
THOMAS O. RICE
United States District Judge